

LEE, LILY

From: LEE, LILY
Sent: Wednesday, April 06, 2016 9:12 AM
To: derek.j.robinson1@navy.mil; Janda, Danielle L CIV NAVFAC SW;
zachary.edwards@navy.mil; Bacey, Juanita@DTSC; william.d.franklin@navy.mil
Subject: From Dan Hirsch re 4/12 mtg - FW: EPA use of Current PRG Calculator to evaluate Navy cleanups

I just got this a few minutes ago. I wanted to keep you in the loop on the topics for the 4/12 mtg. I'm working on a response.

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518
www.epa.gov/region9/superfund

From: Daniel Hirsch [mailto:dohirsch@ucsc.edu]
Sent: Wednesday, April 06, 2016 8:49 AM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Cc: Walker, Stuart <Walker.Stuart@epa.gov>; Janice Davis <jadadavi@ucsc.edu>; Lucien Martin <lumamart@ucsc.edu>; Maria Caine <mcaine@ucsc.edu>; Janie Flores <jalflore@ucsc.edu>; Liora Huebner <lhuebner@ucsc.edu>; Flora Lu <floralu@ucsc.edu>; bradley@greenaction.org
Subject: Re: EPA use of Current PRG Calculator to evaluate Navy cleanups

Hi Lily,

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However, I would still like to see the 5-year reviews and any EPA reviews of them, as requested in my prior email. I would appreciate it if you would send them, or identify a URL where they can be found.

You indicate that the Region has routinely been consulting with Stuart Walker over the years on Hunters Point. It would also be helpful if you could provide me with copies of any identification by the Region of proposals by the Navy to use guidance, standards, or risk assessment methodologies not consistent with EPA's CERCLA guidance and requests for and results of consultation with Walker as to the appropriateness of those non-EPA alternatives.

It would be useful if participants in the call have available at that time the documents you just sent, plus the excerpts of other documents we previously sent you, and the item sent by Derek Robinson on 2/19.

As to the suggested agenda, I think it would be most productive, given the short time we have for the call, if instead our team merely asks the questions we have, gets answers, and there is some discussion of the key issues that arise.

Thanks for all your help in getting this arranged.

Daniel Hirsch
Director
Program on Environmental and Nuclear Policy
College Ten
University of California at Santa Cruz

On Apr 4, 2016, at 5:00 PM, LEE, LILY <LEE.LILY@EPA.GOV> wrote:

Dear Dr. Hirsch,

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Once the reports are finalized, they become part of the Administrative Record for the site. One place individual reports are available to the public is at DTSC's EnviroStor website (link for Hunters Point Naval Shipyard files [at http://www.envirostor.dtsc.ca.gov/public/search.asp?CMD=search&city=San+Francisco&zip=&county=&case_number=&business_name=&FEDERAL_SUPERFUND=True](http://www.envirostor.dtsc.ca.gov/public/search.asp?CMD=search&city=San+Francisco&zip=&county=&case_number=&business_name=&FEDERAL_SUPERFUND=True)). As one recent example, which I have pulled out at random, here is a link to the files for the "Final Work Package 110, Survey Unit Project Reports, Zones K, L, M, N, and O, Parcel D-1 Phase II Sanitary Sewer and Storm Drain Removal." http://www.envirostor.dtsc.ca.gov/regulators/deliverable_documents/4440022110/Final%20SUPR%20Pkg%20%23110_Zone%20K.pdf For Zone K, USEPA's PRG table for this survey unit appears beginning on p. 2868 of this pdf file. This file is 17 MB, so for your convenience, I have attached the EPA comments for this example. I also attached a few other examples to illustrate the type of evaluation that USEPA Region IX routinely conducts for each draft report from the Navy.

The Navy prepares Five Year Reviews, but those type of documents do not typically go to this level of detail, so I thought the information above and attached would be more relevant to your questions. Please let me know what further information would be useful to you.

Lily

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From: Daniel Hirsch [<mailto:dohirsch@ucsc.edu>]
Sent: Wednesday, March 30, 2016 4:41 PM
To: LEE, LILY <LEE.LILY@EPA.GOV>
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Subject: Re: Stuart Walker will join RE: request re conference call April 12

Hi Lily,

That's great. Thank you.

May I ask, in preparation for the call, if you could either provide me with copies, or direct me to links if they are posted on a website, for any 5-year reviews performed for portions of Hunters Point to ascertain the potential impact of revised EPA cleanup standards and guidance that may have come into being since cleanup planning and decisions and risk analyses were originally initiated? If the 5 year reviews were done by EPA, it would be helpful to see them. If they were done by the Navy, it would be helpful to be able to obtain them as well as any EPA reviews of the Navy analyses.

Also, if EPA has done any other reviews of how updated EPA guidance and standards and risk assessment methodologies might impact Hunters Point past cleanup actions, decisions, and risk analyses, it would be very helpful to see those as well.

Thanks,

Daniel Hirsch
Director
Program on Environmental and Nuclear Policy
College Ten
University of California at Santa Cruz

On Mar 25, 2016, at 1:58 PM, LEE, LILY <LEE.LILY@EPA.GOV> wrote:

Dear Dr. Hirsch,

Thank you for the questions and the suggestion to bring in Stuart. Region IX has consulted with him over the years about the Hunters Point site. I just talked with him, and he has graciously agreed to participate in the call.

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From: Daniel Hirsch [<mailto:dohirsch@ucsc.edu>]
Sent: Sunday, March 20, 2016 7:57 PM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Cc: Walker, Stuart <Walker.Stuart@epa.gov>; Janice Davis <jadadavi@ucsc.edu>; Lucien Martin <lumamart@ucsc.edu>; Maria Caine <mcaine@ucsc.edu>; Janie Flores <jalflore@ucsc.edu>; Liora Huebner <lhuebner@ucsc.edu>; Flora Lu <floralu@ucsc.edu>; bradley@greenaction.org
Subject: request re conference call April 12

Hi Lily,

We would appreciate it if you would arrange for Stuart Walker, the EPA Superfund remedial program's National Radiation Expert, to participate in the conference call on Hunters Point issues scheduled for April 12. We note that "Radiation Risk Assessment at CERCLA Sites Q&A," (EPA Office of Superfund Remediation and Technology Innovation Directive 9200.4-40, May 2014) states:

"Q10. For CERCLA risk assessments at remedial sites, is it appropriate to use guidance or approaches developed by other Federal, State or Tribal Agencies or by International or National Organizations?"

A. EPA has made the policy decision that risks from radionuclide exposures at remedial sites should be estimated in the same manner as chemical contaminants, which is consistent with EPA's remedial program implementing guidance (e.g., EPA 1997g, 1999d, 2000f). Consequently, approaches that do not follow the remedial program's policies and guidance should not be used at CERCLA remedial sites. Should regional staff have questions, they should consult with the Superfund remedial program's National Radiation Expert (Stuart Walker of OSRTI at the time this fact sheet was issued, at (703) 603-8748 or walker.stuart@epa.gov), before using guidance from other organizations that is not already incorporated into this and other EPA Superfund remedial program guidance."

Among the issues we wish to explore during the conference call is whether remediation standards, models, and other guidance were used at Hunters Point that are inconsistent with the EPA remedial program's policies and guidance. If so, we would like to understand whether EPA Region IX consulted with Mr. Walker before allowing use of guidance that is not incorporated in EPA Superfund remedial program guidance, and if so, on what basis the approvals were made. If there was no consultation with Mr. Walker, we would like to learn why not.

Thank you.

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<Work Pkgs 108-111 Storm drain D-1 - EPA Comments 6-29-2015.docx><2015-1-12 EPA Rad
Review multiple Survey Units Oct Nov 2014.docx><EPA Comments Draft Survey Units 344-
350-351-355.docx>

LEE, LILY

From: LEE, LILY
Sent: Wednesday, April 06, 2016 9:27 AM
To: Bacey, Juanita@DTSC
Subject: Thank you! RE: From Dan Hirsch re 4/12 mtg - FW: EPA use of Current PRG Calculator to evaluate Navy cleanups

I appreciate it! I think just the 2008 & 2013 is ok since what he's looking for is post-2006 Action Memo

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From: Bacey, Juanita@DTSC [mailto:Juanita.Bacey@dtsc.ca.gov]
Sent: Wednesday, April 06, 2016 9:18 AM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Subject: RE: From Dan Hirsch re 4/12 mtg - FW: EPA use of Current PRG Calculator to evaluate Navy cleanups

I can find the dtsc links to the 5-yr reports for you and send them to you in just a few. You're supposed to be on vacation.

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LEE, LILY

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Sent: Wednesday, April 06, 2016 11:49 PM
To: derek.j.robinson1@navy.mil; Janda, Danielle L CIV NAVFAC SW
Cc: Bacey, Juanita@DTSC; Chesnutt, John
Subject: It would be extremely helpful for a RASO rep to join the 4/12 conf call w/Greenaction

Dear Derek and Danielle,

I'm glad that both of you will participate in the 4/12 call with Greenaction. I heard from Danielle today that RASO unfortunately will not send a rep to the 4/12 mtg. I respect their expert knowledge and their communication skills a great deal. I understand that they are extremely busy. If there is any way to persuade them to join the call, I think it would be very beneficial. A month ago, you asked us to move the meeting to a morning time slot to accommodate the time difference so RASO could join. I thought that was well worth it because of the value RASO would add. Please consider encouraging their participation.

Thank you for your efforts.

Lily

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LEE, LILY

From: Bradley Angel <bradley@greenaction.org>
Sent: Wednesday, April 13, 2016 4:38 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO
Cc: Franklin, William D CIV NAVFAC HQ, BRAC PMO; Marie Harrison; etecia@greenaction.org; Regan F. Patterson; LEE, LILY
Subject: Re: [Non-DoD Source] Request for Navy presentation at the Bayview Hunters Point Environmental Justice Response Task Force meeting on April 21st at 6 pm

Hello,

I am writing to confirm that the Navy will present at the April 21st Bayview Hunters Point Environmental Justice Task Force Meeting at 6 pm at Southeast Community College, 1800 Oakdale, San Francisco.

As we discussed, about 25 minutes would be allocated for your presentation, followed by the opportunity for questions. We do have the capacity if you want to show a power point so let us know, and thanks again for participating.

Bradley Angel

On 3/23/2016 12:58 PM, Bradley Angel wrote:

> Hello and thanks for the response and information, and yes this seems
> like a good summary of what the Navy's presentation can focus on, and
> please do include the Tetra Tech update.

>

> On 3/23/2016 6:36 AM, Robinson, Derek J CIV NAVFAC HQ, BRAC PMO wrote:

>> Hello Mr. Angel,

>>

>> Thank you for the presentation request. Your email asks for a
>> presentation on "... the cleanup, including cleanup levels and extent
>> of remediation to date and in the future for hazardous and
>> radioactive waste at the Shipyard."

>>

>> To be clear on the subject matter for the request, my expectation is
>> for a summary presentation on the Hunters Point environmental
>> remediation program; including remedial actions taken/planned,
>> property transfer status, and remaining risk to future land-users.

>>

>> I also know that there is a lot of interest in the recent articles on
>> Tetra Tech's work at Hunters Point and potential fraudulent soil
>> sampling. Because of the on-going investigations, I want to be clear
>> that I do not have a great deal of information on this topic to
>> present. Here is what I can say; in October 2012, during an internal
>> quality control review of soil samples collected by the contractor,
>> Tetra Tech, the Navy identified what appeared to be inconsistent data
>> to support a radiological survey at Hunters Point. The Navy notified
>> Tetra Tech of their findings and Tetra Tech took appropriate steps to
>> correct the problem and add quality-control measures to prevent it
>> from reoccurring. The Nuclear Regulatory Commission (NRC) initiated
>> an investigation and issued a letter to Tetra Tech on 11 Feb 2016,
>> indicating that the NRC intends to pursue an enforcement action

>> against Tetra Tech. The letter provides Tetra Tech with an
>> opportunity to accept the NRC's findings or respond to them.

>>

>> Best Regards,

>>

>> Derek J. Robinson, PE

>> BRAC Environmental Coordinator

>> Navy BRAC PMO West

>> 33000 Nixie Way

>> Bldg 50

>> San Diego CA 92147

>> Desk Phone: 619-524-6026

>>

>>

>>

>> -----Original Message-----

>> From: Bradley Angel [mailto:bradley@greenaction.org]

>> Sent: Friday, March 18, 2016 8:56 AM

>> To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO

>> Cc: Franklin, William D CIV NAVFAC HQ, BRAC PMO; Marie Harrison;

>> etecia@greenaction.org; Regan F. Patterson; Daniel O Hirsch; Flora E.

>> Lu; Lane, Jackie; lee.lily@epa.gov

>> Subject: [Non-DoD Source] Request for Navy presentation at the

>> Bayview Hunters Point Environmental Justice Response Task Force

>> meeting on April 21st at 6 pm

>>

>> Hello,

>> Thanks for following up.

>> We would be appreciative if the Navy can make a presentation on the

>> cleanup, including cleanup levels and extent of remediation to date

>> and in the future for hazardous and radioactive waste at the Shipyard.

>> The task force meeting will be Thursday, April 21st at 6pm at

>> Southeast Community College, 1800 Oakdale, in Bayview Hunters Point.

>> A presentation of approximately 25 minutes would be good.

>> Please let me know if you can confirm, and thanks!

>>

>> Bradley Angel

>>

>>

>> On 3/18/2016 8:45 AM, Robinson, Derek J CIV NAVFAC HQ, BRAC PMO wrote:

>>> Dear Mr. Bradley,

>>>

>>> I have been informed that Greenaction has interest in a presentation

>>> by the Navy at an upcoming meeting. If so, please let me know the

>>> details of your request (i.e., date/time of meeting, length of

>>> presentation, topic(s) requested, etc.).

>>>

>>> As previously mentioned in an email sent by Mr. William Franklin

>>> (Navy Public Affairs Officer), the Navy needs at least 30 DAYS

>>> NOTICE to prepare a presentation, obtain the necessary approvals,

>>> and schedule travel. I want to stress that this is the "minimum

>>> time needed" and hope that you respond promptly to this email.

>>>

>>> Also of note, please send any requests for information regarding the
>>> Hunters Point environmental program directly to the Navy. The Navy
>>> is the lead agency and is happy to respond to any questions you may
>>> have.

>>>

>>> I am available to talk Mon-Fri from 6am-3:30pm.

>>>

>>> Best Regards,

>>>

>>> Derek J. Robinson, PE

>>> BRAC Environmental Coordinator

>>> Navy BRAC PMO West

>>> 33000 Nixie Way

>>> Bldg 50

>>> San Diego CA 92147

>>> Desk Phone: 619-524-6026

>>>

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>

>

LEE, LILY

From: Lane, Jackie
Sent: Friday, April 15, 2016 9:54 AM
To: LEE, LILY; Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; 'Janda, Danielle L CIV NAVFAC SW'; william.d.franklin@navy.mil; zachary.edwards@navy.mil; matthew.slack@navy.mil; Nina Bacey (Juanita.Bacey@dtsc.ca.gov); tlow@waterboards.ca.gov
Cc: Chesnutt, John
Subject: RE: Questions EPA has already received re Hunters Pt radiation issues

Lily: The only other questions I can add are ones that have come up at EJ Task Force meetings:
Why hasn't the Navy fired the Tetra Tech or have them stop work at the base?
Why does it mean when the NRC says a notice of "apparent violations" has been given? What happens next? What steps have the Navy taken to make ensure this doesn't happen again or has not happen in the past? How can we trust any of the work done at Shipyard to date?
Oscar James also said that his father worked at the Shipyard and he remembers taking radioactive waste from the Hunters Point to Treasure Island and to the Farrallon Islands. He died of cancer. He hopes Tetra Tech will be charged for their negligence in remediation on the Shipyard..... It important that those responsible be held responsible.
Carol Harvey from Treasure Island came to the Taskforce meeting to talk about radiological issues from the Navy there and says the same players (Tetra Tech, the Navy, Lennar) are involved.
Parcel E-2: Why containment at Parcel E-2, rather than complete removal? Also, what are the risks for certain materials that will be left underground?
Bradley: Why hasn't a cumulative impact analysis been done for Hunters Point residents in relations to the Shipyard?

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- o People excavating in areas where improper disposal of contaminated soil occurred?
- o Groundwater carrying material from trenches into the San Francisco Bay?
- o Exposure through dust to the broader community? (John thought of this later after our call)

2nd Priority: What additional work would be needed before Parcels could be verified to be clean enough to be appropriate for transfer?

More specifically:

1. What is the geographic scope of the improper activities that Mr. Smith observed?
2. Which open trenches did Mr. Smith observe hiding of contaminated samples? Only storm drain and sanitary sewer line excavations? Or other areas too? How deep did he observe the contaminated samples were placed?
3. What is the potential volume of individual and total contaminated samples improperly placed into open trenches?
4. Could the area where excavation is planned for the Artist Studio have radionuclide levels above the release criteria due to Tetra Tech EC, Inc., improper activities?
5. Could Navy and contractor workers conducting excavation have been unknowingly exposed to soil at concentrations above release criteria? For example, areas assumed to be already clean would no longer be considered Radiologically Controlled Areas (RCA's), so workers would no longer be required to go through the usual protections, e.g. hand scanning hands and shoes as people exit the RCA, wear dosimeters while inside the RCA, etc.
6. Has the Navy conducted its own independent sampling in addition to the Tetra Tech internal investigation?

7. Has the Navy scanned potentially affected areas after the backfill of trenches?
8. Was the Tetra Tech EC, Inc., contract payments fixed price or time and materials?
9. When and how will the Navy communicate its assessment of potential risks to the regulators? To the public?

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518
www.epa.gov/region9/superfund

LEE, LILY

From: LEE, LILY
Sent: Monday, April 18, 2016 12:15 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Janda, Danielle L CIV NAVFAC SW; william.d.franklin@navy.mil; zachary.edwards@navy.mil; matthew.slack@navy.mil; Nina Bacey (Juanita.Bacey@dtsc.ca.gov)
Subject: Latest email from Dan Hirsch today - FW: Hunters Point info request

Keeping you in the loop - I just received this.

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518
www.epa.gov/region9/superfund

-----Original Message-----

From: Daniel Hirsch [mailto:dohirsch@ucsc.edu]
Sent: Monday, April 18, 2016 12:04 PM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Cc: Walker, Stuart <Walker.Stuart@epa.gov>
Subject: Hunters Point info request

Hi Lily,

The Hunters Point documents we have been reviewing indicate a remediation level for radium-226 of 1 pCi/g above background, not to exceed 2 pCi/g, "per agreement with EPA." Could you send me documentation of that EPA agreement and its basis, and any risk assessment that was performed at the time of the risk associated with that level of radium? Also, I am having trouble locating the value being employed for radium background—could you let me know what value is being used and where I can find the source for it?

Additionally, I have not been able to locate anything in the links you sent me for the 5-Year reviews regarding EPA review of those reviews as to compliance with EPA CERCLA guidance for radionuclides, including consideration of changes to EPA PRGs. Could you direct me to such review if it took place?

Lastly, during our call last week Derek Robinson from the Navy offered to provide additional information on request. On the 13th I emailed him regarding questions and documents about the Tetra Tech matter. I haven't heard back. Given the upcoming meeting on Thursday, I very much would like to have that information now. If there is anything you can do to help facilitate getting a response from the Navy, I would appreciate it.

Thank you for your help.

Daniel Hirsch
Director
Program on Environmental and Nuclear Policy College Ten University of California at Santa Cruz

LEE, LILY

From: LEE, LILY
Sent: Monday, April 18, 2016 12:49 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO
Subject: RE: Latest email from Dan Hirsch today - FW: Hunters Point info request

Dear Derek,

Maybe you could tell him that.

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518
www.epa.gov/region9/superfund

-----Original Message-----

From: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO [mailto:derek.j.robinson1@navy.mil]
Sent: Monday, April 18, 2016 12:21 PM
To: LEE, LILY <LEE.LILY@EPA.GOV>; Janda, Danielle L CIV NAVFAC SW <danielle.janda@navy.mil>; Franklin, William D CIV NAVFAC HQ, BRAC PMO <william.d.franklin@navy.mil>; Edwards, Zachary L CIV SEA 04 04N <zachary.edwards@navy.mil>; Slack, Matthew L CIV SEA 04 04N <matthew.slack@navy.mil>; Nina Bacey (Juanita.Bacey@dtsc.ca.gov) <Juanita.Bacey@dtsc.ca.gov>
Subject: RE: Latest email from Dan Hirsch today - FW: Hunters Point info request

Thanks for forwarding. Regarding the Navy item, I have his request on my list and will get to it as soon as I can. He can expect a response within 2-3 weeks of his request.

-----Original Message-----

From: LEE, LILY [mailto:LEE.LILY@EPA.GOV]
Sent: Monday, April 18, 2016 12:15 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Janda, Danielle L CIV NAVFAC SW; Franklin, William D CIV NAVFAC HQ, BRAC PMO; Edwards, Zachary L CIV SEA 04 04N; Slack, Matthew L CIV SEA 04 04N; Nina Bacey (Juanita.Bacey@dtsc.ca.gov)
Subject: [Non-DoD Source] Latest email from Dan Hirsch today - FW: Hunters Point info request

Keeping you in the loop - I just received this.

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518

-----Original Message-----

From: Daniel Hirsch [mailto:dohirsch@ucsc.edu]

Sent: Monday, April 18, 2016 12:04 PM

To: LEE, LILY <LEE.LILY@EPA.GOV>

Cc: Walker, Stuart <Walker.Stuart@epa.gov>

Subject: Hunters Point info request

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Lastly, during our call last week Derek Robinson from the Navy offered to provide additional information on request. On the 13th I emailed him regarding questions and documents about the Tetra Tech matter. I haven't heard back. Given the upcoming meeting on Thursday, I very much would like to have that information now. If there is anything you can do to help facilitate getting a response from the Navy, I would appreciate it.

Thank you for your help.

Daniel Hirsch

Director

Program on Environmental and Nuclear Policy College Ten University of California at Santa Cruz

LEE, LILY

From: Chesnutt, John
Sent: Monday, April 18, 2016 5:07 PM
To: Lansdale Lawrence
Subject: Fwd: Today's email from Dan Hirsch - FW: Hunters Point info request

Begin forwarded message:

From: "LEE, LILY" <LEE.LILY@EPA.GOV>
Date: April 18, 2016 at 12:13:38 PM PDT
To: "Chesnutt, John" <Chesnutt.John@epa.gov>,
Subject: Today's email from Dan Hirsch - FW: Hunters Point info request

Letting you know that I just got this:

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518
www.epa.gov/region9/superfund

-----Original Message-----

From: Daniel Hirsch [<mailto:dohirsch@ucsc.edu>]
Sent: Monday, April 18, 2016 12:04 PM
To: LEE, LILY <LEE.LILY@EPA.GOV>
Cc: Walker, Stuart <Walker.Stuart@epa.gov>
Subject: Hunters Point info request

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Thank you for your help.

Daniel Hirsch

Director

Program on Environmental and Nuclear Policy College Ten University of California at Santa Cruz

LEE, LILY

From: LEE, LILY
Sent: Wednesday, May 04, 2016 8:20 PM
To: derek.j.robinson1@navy.mil; Daniell Janda US Navy; william.d.franklin@navy.mil; zachary.edwards@navy.mil
Cc: Chesnutt, John
Subject: Heads up-request likely coming soon from Bradley: important that we have a follow up call to discuss UCSC findings and get clarity

Dear Derek,

I reminded Bradley again that the Navy is the lead on the cleanup, so he should address his requests and questions directly to the Navy. He promised he would directly ask you for this meeting. I wanted to give you a heads up that this is coming to you.

>> On 4/26/2016 4:23 PM, Bradley Angel wrote:

>> HI Lily and Jackie....we should also invite Jared as well as Stuart

>> Walker for the call...

>> On 4/26/2016 9:23 AM, Bradley Angel wrote:

>>> Hi everyone,

>>> Can we set a call to go over the information presented by UCSC folks

>>> at the task force meeting as it would be good to get clarity on the

>>> facts...and next steps.

>>> Lily, Jackie and Dan...when is good for you?

>>> Bradley

LEE, LILY

From: LEE, LILY
Sent: Thursday, May 05, 2016 3:05 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO
Subject: Re: Heads up-request likely coming soon from Bradley: important that we have a follow up call to discuss UCSC findings and get clarity

I don't have it. I reminded Bradley to send to you. He said he would

Lily Lee
USEPA Region 9
Superfund Division
415-947-4187

On May 5, 2016, at 9:38 AM, Robinson, Derek J CIV NAVFAC HQ, BRAC PMO <derek.j.robinson1@navy.mil> wrote:

Thank you for the heads up. I requested Dan Hirsch's presentation over a week ago. Any chance that you have it? I assume that he doesn't want it released.

-----Original Message-----

From: LEE, LILY [mailto:LEE.LILY@EPA.GOV]
Sent: Wednesday, May 04, 2016 8:20 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Janda, Danielle L CIV; Franklin, William D CIV NAVFAC HQ, BRAC PMO; Edwards, Zachary L CIV SEA 04 04N
Cc: Chesnutt, John
Subject: [Non-DoD Source] Heads up-request likely coming soon from Bradley: important that we have a follow up call to discuss UCSC findings and get clarity

Dear Derek,

I reminded Bradley again that the Navy is the lead on the cleanup, so he should address his requests and questions directly to the Navy. He promised he would directly ask you for this meeting. I wanted to give you a heads up that this is coming to you.

>> On 4/26/2016 4:23 PM, Bradley Angel wrote:
>> HI Lily and Jackie....we should also invite Jared as well as Stuart
>> Walker for the call...
>>> On 4/26/2016 9:23 AM, Bradley Angel wrote:
>>> Hi everyone,
>>> Can we set a call to go over the information presented by UCSC folks
>>> at the task force meeting as it would be good to get clarity on the
>>> facts...and next steps.
>>> Lily, Jackie and Dan...when is good for you?
>>> Bradley

LEE, LILY

From: LEE, LILY
Sent: Thursday, May 12, 2016 5:01 PM
To: bradley@greenaction.org
Cc: Lane, Jackie; Chesnutt, John; Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; william.d.franklin@navy.mil; Marie Harrison; Daniel Hirsch; Flora Lu; Walker, Stuart; Herrera, Angeles
Subject: RE: scheduling a follow up call with US EPA about the Shipyard

Dear Bradley,

Thank you for your message. As I discussed with you in person on April 21 and by phone on May 2, the Navy is the lead on the cleanup at the Hunters Point Naval Shipyard. Please direct requests for meetings and information to the Navy. The EPA will, of course, participate as well.

I am cc'ing Derek Robinson and Bill Franklin from the Navy. Also, below is a reminder of their full contact information

Derek J. Robinson, PE
BRAC Environmental Coordinator
Navy BRAC PMO West
33000 Nixie Way
Bldg 50
San Diego CA 92147
Desk Phone: 619-524-6026
derek.j.robinson1@navy.mil

Bill Franklin
Base Realignment and Closure Program
Public Affairs Officer
(619) 524-5433
william.d.franklin@navy.mil
<http://bracpmo.navy.mil>

Thanks.

- Lily

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518
www.epa.gov/region9/superfund

-----Original Message-----

From: Bradley Angel [mailto:bradley@greenaction.org]

Sent: Thursday, May 12, 2016 2:44 PM

To: LEE, LILY <LEE.LILY@EPA.GOV>; Lane, Jackie <Lane.Jackie@epa.gov>; Daniel O Hirsch <dohirsch@ucsc.edu>; Marie Harrison <marieH@greenaction.org>; Flora E. Lu <Floralu@ucsc.edu>; Walker, Stuart <Walker.Stuart@epa.gov>
Subject: scheduling a follow up call with US EPA about the Shipyard

We would like to schedule a follow-up meeting/call with EPA regional and HQ staff and the UCSC group to discuss further the issues raised at the last Hunters Point Bayview EJ Task Force meeting regarding consistency of BVHP cleanup standards and procedures with EPA CERCLA procedures. When might work to do this?

Thanks,
Bradley and Marie

LEE, LILY

From: LEE, LILY
Sent: Monday, May 16, 2016 7:33 AM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO
Subject: His name is Bradley Angel : [Non-DoD Source] Re: UCSC Presentation

So you could call him Bradley or Mr. Angel

Lily Lee
USEPA Region 9
Superfund Division
415-947-4187

On May 16, 2016, at 7:29 AM, Robinson, Derek J CIV NAVFAC HQ, BRAC PMO <derek.j.robinson1@navy.mil> wrote:

Thank you Mr. Bradley!

-----Original Message-----

From: Bradley Angel [mailto:bradley@greenaction.org]
Sent: Monday, May 16, 2016 7:10 AM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Daniel Hirsch
Cc: Lane, Jackie; Chesnutt, John; Franklin, William D CIV NAVFAC HQ, BRAC PMO; Marie Harrison; Flora Lu; Walker, Stuart; Herrera, Angeles; LEE, LILY
Subject: [Non-DoD Source] Re: UCSC Presentation

Attached is the presentation by UCSC School of Environmental and Nuclear Policy at the Bayview Hunters Point Environmental Justice Response Task Force meeting in April.

> On 5/16/2016 6:58 AM, Robinson, Derek J CIV NAVFAC HQ, BRAC PMO wrote:
> Dear Mr. Bradley/Mr. Hirsch,
>
> I requested the UCSC presentation given at the April 21, 2016 Greenaction meeting, but have not received it. Please send me a copy.
>
> Without a copy of this presentation, it is very difficult/impossible to respond to the allegations presented by UCSC to Greenaction and the community. I assume that everyone wants an informed discussion, which is also not possible without this information.
>
> I recommend discontinuing further discussion of this topic until the presentation has been sent.
>
> Best Regards,
>
> Derek J. Robinson, PE
> BRAC Environmental Coordinator
> Navy BRAC PMO West
> 33000 Nixie Way

> Bldg 50
> San Diego CA 92147
> Desk Phone: 619-524-6026
>
>
>
>

LEE, LILY

From: Lane, Jackie
Sent: Monday, May 16, 2016 9:58 AM
To: 'Robinson, Derek J CIV NAVFAC HQ, BRAC PMO'
Subject: RE: [Non-DoD Source] Re: UCSC Presentation

Derek his name Mr. Bradley Angel not Mr. Bradley.

-----Original Message-----

From: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO [mailto:derek.j.robinson1@navy.mil]
Sent: Monday, May 16, 2016 7:29 AM
To: bradley@greenaction.org; Daniel Hirsch <dohirsch@ucsc.edu>
Cc: Lane, Jackie <Lane.Jackie@epa.gov>; Chesnutt, John <Chesnutt.John@epa.gov>; Franklin, William D CIV NAVFAC HQ, BRAC PMO <william.d.franklin@navy.mil>; Marie Harrison <marieH@greenaction.org>; Flora Lu <floralu@ucsc.edu>; Walker, Stuart <Walker.Stuart@epa.gov>; Herrera, Angeles <Herrera.Angeles@epa.gov>; LEE, LILY <LEE.LILY@EPA.GOV>
Subject: RE: [Non-DoD Source] Re: UCSC Presentation

Thank you Mr. Bradley!

-----Original Message-----

From: Bradley Angel [mailto:bradley@greenaction.org]
Sent: Monday, May 16, 2016 7:10 AM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Daniel Hirsch
Cc: Lane, Jackie; Chesnutt, John; Franklin, William D CIV NAVFAC HQ, BRAC PMO; Marie Harrison; Flora Lu; Walker, Stuart; Herrera, Angeles; LEE, LILY
Subject: [Non-DoD Source] Re: UCSC Presentation

Attached is the presentation by UCSC School of Environmental and Nuclear Policy at the Bayview Hunters Point Environmental Justice Response Task Force meeting in April.

On 5/16/2016 6:58 AM, Robinson, Derek J CIV NAVFAC HQ, BRAC PMO wrote:

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> I requested the UCSC presentation given at the April 21, 2016 Greenaction meeting, but have not received it. Please send me a copy.
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> Derek J. Robinson, PE
> BRAC Environmental Coordinator
> Navy BRAC PMO West

> 33000 Nixie Way
> Bldg 50
> San Diego CA 92147
> Desk Phone: 619-524-6026
>
>
>
>

LEE, LILY

Sent: Friday, May 20, 2016 10:50 AM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Janda, Danielle L CIV;
william.d.franklin@navy.mil; Tina Low (TLow@waterboards.ca.gov); Bacey,
Juanita@DTSC; Brownell, Amy (DPH); Drew, Tamsen (ADM)
Subject: Compilation of concerns from public & press re Hunters Pt & Rad

EPA's headquarters Superfund managers visited my office this week for their routine midyear check-in. They specifically requested a presentation about Hunters Point radiation issues. I presented a summary of the main themes from the attached. I am also preparing to send HQ the attached draft compilation of public inquiries that we have received thus far from the public and press. I tried to send these along to you along the way as I received them, but in case I missed any, here is my collection thus far. If you have others to add, then I'd appreciate it if you could send them to me as well. Thanks!

Lily Lee
Cleanup Project Manager
Superfund Division
U.S. Environmental Protection Agency, Region 9
75 Hawthorne St. (SFD-8-3)
San Francisco, CA 94105
Tel: 415-947-4187, Fax: 415-947-3518
www.epa.gov/region9/superfund

LEE, LILY

Sent: Friday, June 03, 2016 4:22 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Janda, Danielle L CIV; Edwards, Zachary L CIV SEA 04 04N; matthew.slack@navy.mil; Bacey, Juanita@DTSC; Tina Low (TLow@waterboards.ca.gov); Bill Franklin (william.d.franklin@navy.mil); Brownell, Amy (DPH); Drew, Tamsen (ADM)
Subject: Hunters Point radiation cleanup statement to reporter

A reporter from NBC news has asked EPA about radiation cleanup at the Hunters Point Naval Shipyard. EPA referred her to the Navy as the lead on the cleanup at Hunters Point. My press officer also sent this statement today to her about EPA's role overseeing Navy cleanup and EPA's process in developing risk based approaches to evaluate cleanup completeness. I wanted to share it with you as well. Our press office offered to talk with her after she reviews it provide any clarification needed.

- Lily

The Hunters Point Naval Shipyard (HPNS) is a former military base in San Francisco, California. It was used by the Navy as a naval submarine and ship repair facility from 1945 until 1974 and was also the site of the Naval Radiological Defense Laboratory from 1948 to 1969. In 1989, U.S. EPA placed the Shipyard on its National Priorities List, which is a list of federal Superfund sites in the United States.

The Navy is the lead agency responsible for the investigation and cleanup of HPNS. As part of the process, EPA and its state regulatory agency partners (the California Department of Public Health and the California Department of Toxic Substances Control) oversee and enforce Navy compliance with the Comprehensive Environmental Response, Compensation, and Liability Act (commonly called the Superfund law) to ensure the cleanup at HPNS protects human health and the environment. The Navy and regulatory agencies work together to decide how to address the contamination. The Navy also gathers community input through a public process.

EPA uses the best available science to develop guidance for cleaning up sites, such as HPNS, that are contaminated with radioactive materials. EPA's goal for the HPNS cleanup is to ensure that the community is protected from exposure to radiation and that the site can be used for work, recreation, and residential purposes.

EPA assesses the health effects of radiation at a site by calculating the "excess cancer risk" posed by radioactive contamination. Excess cancer risk is the additional probability that a person exposed to contamination will develop cancer over a lifetime. Superfund regulations in the National Contingency Plan have defined the protective range of excess cancer risk as a probability that a person exposed to radioactive and chemical contaminants will have between an additional one in ten thousand and a one in a million chance of developing cancer (technically known as the 10^{-4} to 10^{-6} cancer risk range). When calculating this range, EPA uses assumptions about exposure that are higher than people's actual exposure. This means that EPA overestimates risk to make sure that cleanups are sufficiently protective.

EPA reviews the Navy's cleanup report for each survey unit (small area of land or part of a building) of HPNS using the current version of the EPA risk model to make sure that radiation levels are within the protective 10^{-4} to 10^{-6} cancer risk range. This ensures that any land that is transferred to the City of San Francisco for new use meets appropriate levels for protectiveness with regard to radiation. To provide additional protection, the Navy is installing a protective cover over the whole site. The Navy is also developing a plan, which EPA will review, that ensures the Navy or City will maintain and inspect the cover indefinitely.

EPA's risk models have changed over time as radiation science continues to improve. EPA has incorporated the latest models into its review process to ensure the HPNS cleanup continues to be protective of human health and the

environment. EPA has reviewed the Navy's past HPNS cleanup reports, applying the current EPA risk model, and found that the Navy's earlier work had achieved the cleanup level needed to protect human health and the environment.

University of California at Santa Cruz Presentation

On April 21, 2016, a small group of faculty and students from the University of California at Santa Cruz gave a presentation about the HPNS cleanup at an Environmental Justice Task Force Meeting held in the Bayview-Hunters Point neighborhood. The presentation had some inaccuracies and left out some relevant information, as noted below.

The presentation criticized EPA's reliance on 2006 cleanup standards.

- In fact, EPA uses the latest version of EPA's risk model to review each Navy radiation cleanup report for individual sections of the site as they are drafted. ("Latest version" refers to whichever version is current at the time that EPA reviews each report.)

The presentation suggested that the Navy should be using standards with exposure scenarios that reflected only one end of the range that EPA considers protective.

- In fact, the Navy and EPA assessments of cleanup needs are already based on scenario assumptions of exposure that are higher than would be realistic. In part, this is because the assumptions of exposure do not take into account the protective cover. In addition, EPA considers the protective range to refer to a probability that a person exposed to radioactive and chemical contaminants will have between one in ten thousand and one in a million greater chance of developing cancer. The presentation did not reflect this complete range. Finally, the Navy routinely cleans up radiation to levels within the protective range, even with the current version of worst case scenario assumptions.

The presentation criticized the fact that the Navy's documents reference several different cleanup requirements.

- In fact, Navy cleanup documents showed requirements from multiple agencies that might apply to particular cleanups. The Navy must meet requirements specific to each of those agencies – including the most strict. Some of the standards that the Navy must meet may be less strict than EPA's, but the Navy still referenced them in the documents to show that by complying with stricter standards, they also meet other requirements. The final cleanup requirements were selected in several Records of Decision that were presented in a series of public meetings, allowed at least 30 days for public comment, and then finalized.

LEE, LILY

From: LEE, LILY
Sent: Friday, June 03, 2016 4:26 PM
To: Robinson, Derek J CIV NAVFAC HQ, BRAC PMO; Janda, Danielle L CIV; Edwards, Zachary L CIV SEA 04 04N; matthew.slack@navy.mil; Bacey, Juanita@DTSC; Tina Low (TLow@waterboards.ca.gov); Bill Franklin (william.d.franklin@navy.mil); Brownell, Amy (DPH); Drew, Tamsen (ADM)
Subject: Hunters Point radiation cleanup statement to reporter

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EPA uses the best available science to develop guidance for cleaning up sites, such as HPNS, that are contaminated with radioactive materials. EPA's goal for the HPNS cleanup is to ensure that the community is protected from exposure to radiation and that the site can be used for work, recreation, and residential purposes.

EPA assesses the health effects of radiation at a site by calculating the "excess cancer risk" posed by radioactive contamination. Excess cancer risk is the additional probability that a person exposed to contamination will develop cancer over a lifetime. Superfund regulations in the National Contingency Plan have defined the protective range of excess cancer risk as a probability that a person exposed to radioactive and chemical contaminants will have between an additional one in ten thousand and a one in a million chance of developing cancer (technically known as the 10^{-4} to 10^{-6} cancer risk range). When calculating this range, EPA uses assumptions about exposure that are higher than people's actual exposure. This means that EPA overestimates risk to make sure that cleanups are sufficiently protective.

EPA reviews the Navy's cleanup report for each survey unit (small area of land or part of a building) of HPNS using the current version of the EPA risk model to make sure that radiation levels are within the protective 10^{-4} to 10^{-6} cancer risk range. This ensures that any land that is transferred to the City of San Francisco for new use meets appropriate levels for protectiveness with regard to radiation. To provide additional protection, the Navy is installing a protective cover over the whole site. The Navy is also developing a plan, which EPA will review, that ensures the Navy or City will maintain and inspect the cover indefinitely.

EPA's risk models have changed over time as radiation science continues to improve. EPA has incorporated the latest models into its review process to ensure the HPNS cleanup continues to be protective of human health and the environment. EPA has reviewed the Navy's past HPNS cleanup reports, applying the current EPA risk model, and found that the Navy's earlier work had achieved the cleanup level needed to protect human health and the environment.

University of California at Santa Cruz Presentation

On April 21, 2016, a small group of faculty and students from the University of California at Santa Cruz gave a presentation about the HPNS cleanup at an Environmental Justice Task Force Meeting held in the Bayview-Hunters Point neighborhood. The presentation had some inaccuracies and left out some relevant information, as noted below.

The presentation criticized EPA's reliance on 2006 cleanup standards.

- In fact, EPA uses the latest version of EPA's risk model to review each Navy radiation cleanup report for individual sections of the site as they are drafted. ("Latest version" refers to whichever version is current at the time that EPA reviews each report.)

The presentation suggested that the Navy should be using standards with exposure scenarios that reflected only one end of the range that EPA considers protective.

- In fact, the Navy and EPA assessments of cleanup needs are already based on scenario assumptions of exposure that are higher than would be realistic. In part, this is because the assumptions of exposure do not take into account the protective cover. In addition, EPA considers the protective range to refer to a probability that a person exposed to radioactive and chemical contaminants will have between one in ten thousand and one in a million greater chance of developing cancer. The presentation did not reflect this complete range. Finally, the Navy routinely cleans up radiation to levels within the protective range, even with the current version of worst case scenario assumptions.

The presentation criticized the fact that the Navy's documents reference several different cleanup requirements.

- In fact, Navy cleanup documents showed requirements from multiple agencies that might apply to particular cleanups. The Navy must meet requirements specific to each of those agencies – including the most strict. Some of the standards that the Navy must meet may be less strict than EPA's, but the Navy still referenced them in the documents to show that by complying with stricter standards, they also meet other requirements. The final cleanup requirements were selected in several Records of Decision that were presented in a series of public meetings, allowed at least 30 days for public comment, and then finalized.